



COUNTY OF LOS ANGELES  
OFFICE OF THE COUNTY COUNSEL

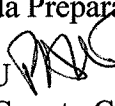
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January 22, 2015

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TO: PATRICK OGAWA  
Acting Executive Officer  
Board of Supervisors  
  
Attention: Agenda Preparation

FROM: PATRICK A. WU   
Senior Assistant County Counsel  
Executive Office

RE: **Item for the Board of Supervisors' Agenda**  
**County Claims Board Recommendation**  
**Robert Night v. County of Los Angeles**  
**Los Angeles Superior Court Case No. BC 493 343**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached is the Case Summary and Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary, and Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:cs

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Robert Night v. County of Los Angeles, Los Angeles Superior Court Case No. BC 493 343, in the amount of \$220,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Department of Health Services' budget.

This lawsuit concerns allegations of negligent medical care by LAC+USC Medical Center, which contributed to Plaintiff's injuries.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Robert Night v. County of Los Angeles
CASE NUMBER	BC 493343
COURT	Los Angeles Superior Court – Central District
DATE FILED	October 5, 2012
COUNTY DEPARTMENT	Department of Health Services
PROPOSED SETTLEMENT AMOUNT	\$220,000
ATTORNEY FOR PLAINTIFF	Daniel P. Powell, Esq. THON BECK VANNI CALLAHAN & POWELL
COUNTY COUNSEL ATTORNEY	Narbeh Bagdasarian Senior Deputy County Counsel
NATURE OF CASE	<p>On October 23, 2011, Robert Night, an armed security guard, was admitted to LAC+USC Medical Center with severe injuries. He had accidentally shot his own leg while on duty.</p> <p>To manage and control his infected wound, the LAC+USC Medical Center staff placed Mr. Night on antibiotics. After a few days, the antibiotics caused an injury to Mr. Night's intestines, for which he had to undergo an operation.</p> <p>Mr. Night brought a lawsuit against the County of Los Angeles alleging that the LAC+USC Medical Center were negligent in maintaining him on antibiotics for a prolonged period of time.</p>
PAID ATTORNEY FEES, TO DATE	\$19,395
PAID COSTS, TO DATE	\$2,108

Case Name: Night, Robert #3831



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	October 23, 2011
Briefly provide a description of the incident/event:	<p>On October 23, 2011, Robert Night, an armed security guard, was admitted to LAC+USC Medical Center with severe injuries. He had accidentally shot his own leg while on duty.</p> <p>To manage and control his infected wound, the LAC+USC Medical Center staff placed Mr. Night on antibiotics. After a few days, the antibiotics caused an injury to Mr. Night's intestines, for which he had to undergo an operation.</p> <p>Mr. Night brought a lawsuit against the County of Los Angeles alleging LAC+USC Medical Center was negligent in maintaining him on antibiotics for a prolonged period of time.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

Injury to the bowel as a result of antibiotic use.

2. Briefly describe recommended corrective actions:  
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

- LAC+USC created new antibiotic guidelines for use in orthopedic injuries.
- Staff was educated about the risk of bowel injury from the use of antibiotics.
- Guidelines and precautionary statements about the risk of bowel injury from the use of certain antibiotics are available to all DHS staff on the intranet.
- DHS created an educational 'Medication Safety Blast' detailing the risks of antibiotic-associated bowel injury.
- All DHS facilities have, or are in the process of creating, facility specific antibiotic guidelines.

3. Are the corrective actions addressing department-wide system issues?

- ☒ Yes – The corrective actions address department-wide system issues.  
☐ No – The corrective actions are only applicable to the affected parties.

County of Los Angeles  
Summary Corrective Action Plan

Name: (Risk Management Coordinator)	
Signature: <i>ARUN. PATEL, M.D.</i>	Date: 11/25/14

Name: (Department Head) Mitchell H. Katz, M.D.	
Signature: <i>[Signature]</i>	Date: 12/2/14

<b>Chief Executive Office Risk Management Inspector General USE ONLY:</b>	
Are the corrective actions applicable to other departments within the County?	
<input type="checkbox"/> Yes; the corrective actions potentially have County-wide applicability.	
<input checked="" type="checkbox"/> No; the corrective actions are applicable only to this department.	
Name: (Risk Management Inspector General)	
Signature: <i>Destiny Castro</i>	Date: 12/1/2014